

DC Misdemeanor and Traffic Community Court’s Mission

The mission of the District of Columbia Superior Court’s DC Misdemeanor and Traffic Community Court (DCMTCC) is to reduce low-level and quality-of-life offenses in the District of Columbia by utilizing a collaborative, problem-solving approach to crime to protect rights and liberties, to hold defendants and offenders accountable, and to increase the public’s confidence in the court system. The DCMTCC seeks to partner with government agencies, residents, community organizations, faith-based groups, social services providers, and businesses to improve the quality of life in District of Columbia neighborhoods.

COMMUNITY SERVICE IN ACTION



District of Columbia Superior Court
DC Misdemeanor and Traffic Community Court

(DCMTCC)

Courtroom 115

500 Indiana Avenue, N.W.

Washington, D.C. 20001

Magistrate Judge Michael McCarthy
Presiding Judge



For more information about the DC Misdemeanor and Traffic Community Court contact Michael Francis, Community Court Coordinator, at 202-879-1950 or michael.frankis@dcsc.gov

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D.C. MISDEMEANOR AND TRAFFIC COMMUNITY COURT



Magistrate Judge Michael McCarthy,
Presiding Judge
Courtroom 115
D.C. SUPERIOR COURT
500 INDIANA AVE., N.W.
WASHINGTON, D.C. 20001



The Superior Court of the District of Columbia is the trial court of general jurisdiction in the District of Columbia. It is composed of divisions that handle a wide array of matters including civil, criminal, family, domestic violence, probate and tax cases.

The Court’s Vision Statement is: “Open to All, Trusted by All, Justice for All.”

The DC Misdemeanor and Traffic Community Court (DCMTCC)

The Superior Court of the District of Columbia (Superior Court) established the DC Misdemeanor and Traffic Community Court (DCMTCC) in January 2002. This problem-solving court was a response to the challenges presented by many individuals who commit lower level criminal offenses. Additionally the Superior Court sought to achieve more efficient misdemeanor case processing and to reduce police overtime.

The DCMTCC adjudicates District of Columbia misdemeanor cases and criminal traffic violations originating in all seven police districts of the city. These offenses include possession of an open container of alcohol, panhandling, disorderly conduct, urinating in public, no permit, unregistered auto, operating after suspension, and driving while intoxicated.

One Judge presides over the DCMTCC, arraigns all cases and keeps the case as long as an outcome of diversion is possible. Such continuity allows for more informed judicial decision-making. However, if a defendant decides to go to trial, the case is then certified to a trial calendar. If the defendant is convicted at trial, he or she is then sentenced by the trial judge. Also, if a case is too seri-

ous for diversion or if a defendant is not successful in diversion, the case is also referred to the trial calendar.

The DCMTCC involves the partnership and collaboration of several agencies and organizations, such as the DC Department of Employment Services, Addiction Prevention and Recovery Administration of the DC Department of Health, DC Department of Mental Health, Psychiatric Institute of Washington, Downtown DC Business Improvement District, Unity Health Care, and the Anacostia Mentoring and Employment Network. The DCMTCC works to identify the social service needs of a defendant that may be contributing to his/her criminal behavior. After assessing an individual, including strengths and challenges, the DCMTCC explores diversion or plea alternatives geared toward addressing the identified social services needs of the individual defendant.

Another important aspect of the DCMTCC is the use of community service as an essential component of diversion or sentencing. The DCMTCC holds firmly to the notion that defendants who are adversely affecting the quality of life of a community should engage in restorative justice measures by performing community service.



Diversion Option

If a defendant enters and completes a “Diversion” program, the Court may dismiss the case. The decision whether to offer a defendant Diversion is made by the prosecutor, the Office of the Attorney General, and is usually based on the nature of the offense and the defendant’s prior record, if any. Diversion programs vary in length from a few days up to 1 year.

The following summary briefly describes some of the requirements of some Diversion programs but is not a complete listing of program requirements:

Substance Abuse Driving Diversion: Offered to defendants charged with committing their first driving offense involving alcohol and/or drugs. The eligible charges are: Driving While Intoxicated, Driving Under the Influence, Operating While Impaired, Possession of an Open Container of Alcohol in a Vehicle, and Drinking in Public in a Vehicle. Defendants enter an alcohol and/or drug counseling and treatment program and are required to attend classes where instruction is given on the effects of substance abuse and driving. Fees associated with this diversion program are paid by the defendant.

Community Service Diversion: Offered to defendants charged with committing “quality of life” offenses and minor criminal traffic offenses. Some common offenses include Possession of an Open Container of Alcohol, Drinking in Public, Misrepresentation of Age to Enter an Alcohol Beverage Establishment, Panhandling, Counterfeit Tags, Unregistered Vehicle, and Urinating in Public.

Defendants may perform community service through various organizations but primarily through the DC Downtown Business Improvement District (BID). Those defendants eligible for community service with the BID may perform their community service the day following their arraignment (**NEXT DAY COMMUNITY SERVICE**). If community service is completed the defendant returns to Court at 4:30 pm the same day community service is completed and the case is dismissed.

Remedying: Offered to defendants charged with regulatory-related offenses. The eligible charges include operating after suspension, operating after revocation, driving without a permit, and vending without a license. The defendant may “remedy” such case by obtaining the required license and paying restitution in applicable cases. The defendant is typically given 60 days to remedy the problems regarding a license.

Social Service Referral Diversion: Offered to defendants with charges such as Drinking in Public, Disorderly Conduct, Panhandling, and Possession of an Open Container of Alcohol. Referrals are made by Case Managers who interview and screen defendants regarding social services needs. The Case Managers may refer defendants to a wide variety of services including alcohol and substance abuse treatment, employment assistance, mental health services, medical care, housing assistance, and education. The defendant is typically given 45 days to take advantage of the appropriate services and return to Court with proof of participation in the programs and the case will be dismissed.

Deferred Sentencing Agreement (DSA): Defendants who are not eligible for any other diversion program may be offered a Deferred Sentencing Agreement. In a DSA, the defendant enters a plea of guilty to the offense and the Court defers sentencing to a future date from 6 months to a year. The defendant is given the conditions of the DSA agreement that he or she must complete before the sentencing date. These may include drug or alcohol treatment, restitution, payment to the Crimes Victims Fund, community service, and/or completion of a traffic safety program. If a defendant successfully fulfills the terms of the agreement, at sentencing he or she may withdraw plea and the government will dismiss the case.